

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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VIVIAN NAGUIB,

Plaintiff,

12 CV 2561 (ENV) (LB)

-against-

NOTICE OF MOTION

PUBLIC HEALTH SOLUTIONS,

ECF CASE

Defendant.

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PLEASE TAKE NOTICE that upon the annexed Declaration of Eric Andrew Suffin, declared March 15, 2013 and Plaintiff's Memorandum of Law in Support of Plaintiff's Motion for Voluntary Discontinuance or Leave to Amend Plaintiff's Complaint, Plaintiff will move this Court, before Honorable Eric N. Vitaliano, United States District Judge, for an order, pursuant to Fed. R. Civ. P. 41(a)(2), dismissing Plaintiff's Complaint, without prejudice or with prejudice to refilling the same federal claims, without costs or fees as against any party, or, alternatively, pursuant to Fed. R. Civ. P. 15(a), granting Plaintiff leave to amend Plaintiff's Complaint.

Pursuant to order of this court, answering papers, if any, shall be served on or before March 29, 2013, reply papers, if any, shall be served on or before April 4, 2013. The motion papers shall be filed on this court's ECF system on April 4, 2013.

Dated: New York, New York
March 15, 2013

s/

Eric Andrew Suffin (ES 6867)
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